



ITW

21st October, 2006.

From: Denis Solomon (e-mail: denissolomon@yahoo.com)

To: Ms. Isis Ghali,

Patent Examiner (Art Unit 1615)

The USA Patent Office.

Ref.: Patent application 10/076,266 (filed 2/15/2002)

Dear Madam,

This letter is respectfully intended to be a quick initial response. Having read your communication of 3rd October, 2006, I must make the following comments:

- (1) When I personally rewrote the application earlier this year, **no new material was added** as claimed in your letter. I absolutely maintain no new issues are raised. Please provide me with specific paragraphs, sentences etc.
- (2) In my rewrite 2006, I made a mistake by not listing Claim 4 which I deleted. This has to do with allogenic cells. I did not delete Claims 1, 2, 3.
- (3) The abridged version sent earlier this year is congruent with my former USA patent attorney filed specification and my original 2002 file. I have in my possession all copies. I cannot understand that a rewrite was required by your office yet you expected 'pages and paragraphs' to correspond to the specification filed 02/15/2002.
- (4) Claims 1-3 are still pertinent and are to be prosecuted. Your note said 'only Claim 4 is pending' as if implying that it was the only filed Claim.
- (5) The background scientific material deleted in my 2006 rewrite does not subtract from the scientific understanding of my application. What has been deleted may be construed as the a, b, c(s) of this scientific subject matter.
- (6) I must particularly point out that in Claim 1 (e.g. on page 21, paragraph 3 of my attorney's specification), I predict the use of the patient's own cells (autologous cells). This principle (and a similar series of tissue culture cultivation of cells) is now being used by others in e.g. the construction of a neobladder (Tengion Inc., Winston Salem, NC). This company was founded in 2003.

In summary, I just cannot understand your ruling. I intend to take up a senior position with the NIH later this year. I hope I may be given the opportunity of further communicating with you on a more extensive and personal level than I can do from here in England (UK).

I look forward to your reply.

Yours respectfully,

Denis Solomon

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